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Dell Inc. and Dell Marketing USA, L.P.

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

DAVID NORMAN and WALTER ROMAS,  
individually, and on behalf of a class of others  
similarly situated,

**CV. 07-6028-TC**

Plaintiffs,

v.

DELL INC.; and DELL MARKETING USA,  
L.P., and

SPHERION CORPORATION,

Defendants.

**DEFENDANT DELL INC.'S  
MOTION TO DISMISS FOR LACK  
OF PERSONAL JURISDICTION  
PURSUANT TO RULE 12(b)(2)**

**ORAL ARGUMENT REQUESTED**

**I. CERTIFICATION**

Pursuant to Local Rule 7.1, the parties have conferred in good faith regarding this Motion and have been unable to reach agreement.

Page 1 - DEFENDANT DELL INC.'S MOTION TO DISMISS FOR LACK OF PERSONAL  
JURISDICTION PURSUANT TO RULE 12(b)(2)

## II. MOTION

Defendant Dell Inc. files this Motion to Dismiss for Lack of Personal Jurisdiction Pursuant to Fed. R. Civ. P. 12(b)(2), and requests that this Court issue an Order granting its Motion and dismissing Plaintiffs' Complaint against it with prejudice.

This Motion is supported by the Memorandum in Support and Affidavit of Thomas H. Welch, Jr., filed herewith.

DATED this 29th day of February, 2008.

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 29th day of February, 2008, I served the foregoing **DEFENDANT DELL INC.'S MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION PURSUANT TO RULE 12(b)(2)** on the following parties at the following addresses:

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ATTORNEYS FOR DEFENDANT  
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By causing the same to be:    ☒ e-mailed    ☐ mailed    ☐ hand delivered    ☐ faxed to them a  
true and correct copy thereof.

s/Brenda K. Baumgart  
Brenda K. Baumgart